

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 1085 | 4 | 8509
 OTHER MISDEMEANOR Mis ☒ District Office 11-23-76
 FELONY Fel ☐

vs. **PRIDEAUX, Gerald Leroy (41)**
 2608 S. 92nd E. Ave., Tulsa 74129
 PH: 663-4855
 (LAST, FIRST, MIDDLE)

Case Filed
 Mo. Day
 9 | 2
 No. of Def's
 * 2

Barrow

76-CR-125 - 1

Yr. | Docket No. | Def.

U.S. TITLE/SECTION: **SUPPL. 3-18-77 OFFENSES CHARGED**
18:371 Conspiracy in Wagering
(\$10,000 and/or 1 year)

ORIGINAL COUNTS
 1

U.S. MAG.
CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive
☐ Denied ☐ Set ☐ Pers. Recog.
☐ PSA

\$ 2500.00

conditions
☐ Date 9-2-76 ☒ 10% Deposit
☒ Surety Bond / C
☐ Bail Not Made ☐ Collateral
☒ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 9-8-76	High Risk Date 9-2-76	9-8-76	Trial Set For 10-18-76	Disposition of Charges 11-23-76
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea 9-8-76	Voir Dire <input type="checkbox"/>	<input checked="" type="checkbox"/> Convicted <input checked="" type="checkbox"/> On All Charges
First Appearance	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	Final Plea 10-18-76	Trial Began <input type="checkbox"/>	<input type="checkbox"/> On Lesser * Offense(s)
	In Charging District		Trial Ended <input type="checkbox"/>	<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

MAGISTRATE		DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant	Issued			PRELIMINARY EXAMINATION		<input type="checkbox"/> DISMISSED
	Return			OR		<input type="checkbox"/> HELD FOR GJ OR OTHER PRO-CEEDING IN THIS DISTRICT
Summons	Issued			REMOVAL HEARING		<input type="checkbox"/> HELD FOR GJ OR OTHER PRO-CEEDING IN DISTRICT BELOW:
	Served			<input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED		
Arrest Warrant Issued				<input type="checkbox"/> INTERVENING INDICTMENT		
COMPLAINT				Tape Number		
OFFENSE (In Complaint)						

U.S. Attorney or Asst.

ATTORNEYS

Defense: ☒ CJA ☐ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Ben F. Baker
 Nathan Graham

James E. Frazier
 Beacon Bldg.
 Tulsa 74103 (584-4724)

* Show last names and suffix numbers of other defendants on same indictment/information:

McElroy (2)

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
9-2-76		Record vote of grand jury, filed in open court. rm	
9-2-76		Indictment, filed in open court. Bond set in amt. of \$2,500 C/S. (AEB-J)rm	2 9-2-76 M
9-3-76		MO: Case set for arraignment and plea for Wednesday, 9/8/76 at 10 a.m. Def. granted 10 days to file motions; govt. 5 days thereafter to respond. (AEB-J)rm-notice to counsel	
9-8		Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict.; is advised of charge; is arraigned & enters plea of NOT GUILTY. Govt. recommends bond be reduced. Ct. reduces bond to \$1,000 O/R. Case set for trial 10-18-76, 9:30 A.M. Deft. to make bond this date. (AEB-J)b	2 9-8-76 M 7
9-8		Info. sheet, fld. v	
9-8		Appearance Bond in the amount of \$1,000.00, unsecured, fld. w/conditions of release. (CSB-Mag)v	
9-8		MO: JURY TRIAL set on 10-18-76 at 9:30 a.m. (AEB-J)v	

IV. PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
DATE	76-CR-125-1 (DOCUMENT NO.)	Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
1976					
9-17	Deft's mot. for bill of particulars, filed.k				
9-17	Deft's brief in support of mot. for bill of particulars, filed.k				
9-17	Deft's motion for discovery, filed.k				
9-17	Deft's brief in support of motion for discovery, fld.k				
9-17	Deft's mot. for disclosure of matters occurring before the grand jury, filed.k				
9-17	Deft's brf. in support of mot. for disclosure, fld.k				
9-17	Deft's motion to disclose witnesses of the govt who will appear, filed.k				
9-17	Deft's brf. in support of mot. for disclosure of witnesses, filed.k				
9-17	Deft's mot. to inspect all evidence favorable to him, filed.k				
9-17	Deft's brf. in support of mot. to inspect, filed.k				
9-17	Deft's mot. in limine, filed.k				
9-20	Response to Defts.' Mot. for Bill of Particulars, Response to Mot. for Disc., to Mot. for Disclosure of matters occurring before the Grand Jury, to mot. to disclose witnesses of the Govt. who will appear, to Defts.' mot. to inspect favorable evidence, and to Defts.' mot. in limine, fld. v -cpy to Dene.				
9-21	MO: Deft's motions for Bill of particulars, for Discovery, for disclosure of matters occurring before the Grand Jury, to disclose witnesses of the Govt. who will appear, to inspect evidence favorable to the accused, & in limine regarding use of prior convictions be & they are hereby transferred to Mag. M. L. Bradford for hearing & disposition pursuant to Local Ct.Rules 14(e) & 34(c)(5).(AEB-J)b nts mld				
9-27	MO: Case set for jury trial 10-18-76, 9:30 A.M. (AEB-J)b nts by cert ml				
10-13	Case called for hearing on Deft's motions. Parties present & Govt. reports that material requested has been furnished to deft.(MLB-Mag) b by T. Frasier.	3	10-13-76 10-13-76	E	1
10-18	Case called for jury trial. Deft. present & represented. Govt. represented. Deft. announces desire to change plea. Deft. is placed under oath; w/draws plea of Not Guilty & enters plea of Nolo Contendere. Govt. objects to plea. Ct. overrules objection & allows nolo plea. Deft. waives jury; waiver signed & filed in open court. Indict. read. Ct. orders pre-sent. report. Sentencing set on 11-3-76, at 10:00 A.M. Bond cont'd (AEB-J)b				
11-3	Case called for sentencing. Deft. pres. & rep. by Thos. Frasier. Govt. rep. Upon oral request of Deft. sentencing is passed to 11-23-76, at 9:45 A.M. Bond continued.(AEB-J)b				

FINE AND RESTITUTION PAYMENTS					
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

For Identifying
Periods of Exclud-
able Delay Per 18
U.S.C. 3161(h)A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244).B. NARA Exami-
nation (28
U.S.C. 2902).C. State or Federal
trials on other
charges.D. Interlocutory
Appeals.E. Hearings on
pretrial motions.F. Transfers from
other districts
(per F.R.Cr.P.
Rules 20, 21
& 40).G. Defendant Mo-
tion is actually
under advise-
ment. Period of
up to 30 days
is excludable
per
3161(h) (1) (G).H. Miscellaneous
Proceedings:
Probation or
Parole revoca-
tion, Deporta-
tion,
Extradition.I. Prosecution de-
ferred by
mutual agree-
ment.M. Unavailability
of defendant
or essential
witness.N. Period of men-
tal or physical
incompetence
of defendant to
stand trial.O. Period of
NARA Com-
mitment or
Treatment.P. Superseding
indictment
and/or new
charges.R. Defendant
awaiting trial
of Co-defen-
dant when no
severance has
been granted.T. Continuances
Granted per
3161(h) (8)
(i.e. ends of
justice or com-
plexity of case
outweighs de-
fendants
interests).U. Time between
guilty plea and
plea with-
drawal.W. Grand Jury in-
dictment ex-
tended per
3161 (b).

DATE 1976	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)
11-23	Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sentence is pronounced: Judgment & sentence - Gerald Leroy Prideaux Atty. Gen. Thirty-six (36) mos., & on condition that deft. be confined in jail type instit. for period of three (3) months, the execution of the remainder of sent. of imprisonment is hereby suspended & deft. is placed on prob. for thirty-three (33) mos. IT IS FURTHER ADJUDGED that execution of sent. is deferred until December 17, 1976, at which time defendant is to present himself to USM. / Bond cont'd. (AEB-J)b <i>unless add'l time is allowed by Ct.</i>				
11-23	Judgment & Commitment, filed & entered. (AEB-J)b				
11-23	Two c/c of J & C to USM. b				
11-23	Two c/c of J & C to probation. b				
12-15	Deft's mot. for reduction of sentence, filed.k <i>copy to</i>				
12-15	Deft's appl. to defer execution of sentence to a date subsequent to 1-15-77, filed.k <i>copy to</i>				
12-16	Order, fld., sustaining Deft.'s appl. & execution of sent of Deft. prideaux is deferred until further order of the Court. (AEB-J)v -copies mld. <i>Sumpl. and atty 12-16-76</i>				
1-27-77	MO: It is hereby ordered that Deft. report to U.S. Marshal, Tulsa, Ok., at 10:00 A.M., Tuesday, Feb. 1, 1977, to commence service of the sentence imposed upon him Nov. 23, 1976. (AEB-J)b cps mld				
1-27-77	Two c/c to USM. b				
2-14-77	J&C, ret. & filed: deft. delivered to Tulsa County Jail on 2-1-77. g				
3-8-77	Deft. supplemental mot. for reduction of sentence fld. copy to DenE by atty. ho				
3-16-77	Order, filed denying mot. for discretionary reduction of sentence; further ordered that deft. be released from Tulsa County Jail at 4 p.m. 3-20-77 to commence service of his probationary term; a special condition of probation is that he serve the remaining 41 days of his jail type sentence on Saturdays & Sundays. Deft. to report to Probation Office, then to U. S. Marshal at 4 p.m. Mar. 25, 1977 for confinement in Tulsa County Jail; to be released at 4 p.m. each Sunday and report back at 4 p.m. each Friday thru Aug. 7, 1977; to report at 4 p.m. on 8-12-77 and be released at 4 p.m. on 8-13-77, having completed service of the jail type custody. Should deft fail to report as directed, remainder of jail type sentence will be served on consecutive days. (AEB-J)g(cp to counsel, USM & Prob.)				
3-18	Order, fld. & entered, that the Judgment and Sentence entered on 11-23-76 should be modified as follows: Ct. 1 - 35 Mos. Impr.; serve 2 Mos., bal. susp., 33 Mos. Prob., w/supervision. Deft. shall serve the remaining 11 days of his jail time on Saturdays and Sundays. Deft. should be released from Tulsa Co. Jail at 12:00 noon Sunday. (Deft. should report to Prob. office				

DATE ,77	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
3-18	(Document No.) Order modifying sent., cont. then the U.S. Marshal's office at 4:00 p.m. on Fridays. (AEB-J)v -2 cc to USM & 2 cc to Prob. Off.				
3-28	Ret. of Marshals service of Order modifying sentence executed by releasing Mr. Prideaux from Tulsa County Jail on Sunday, 3-20-77 & is to report back to Jail on 3-25-77. fld. ho				
Interval (per Section II)		Start Date End Date	Ltr. Code	Total Days	

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 1085/4 8509
 OTHER MISDEMEANOR Mis ☒ Disp./Sentence
 FELONY Fel ☐ District Office 11-23-76

vs. **McELROY, Philip Gordon** (37)
 245 W. 12, Apt. 9, Tulsa 74119
 PH: 584-2860

Case Filed
 Mo. Day
 9 2
 No. of Def's
 * 2

Barrow

76-CR-125 - 2

Yr. Docket No. Def.

U.S. TITLE/SECTION
18:371

OFFENSES CHARGED
Conspiracy in Wagering
 (\$10,000 and/or 1 year)

ORIGINAL COUNTS → 1

U.S. MAG.
CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive
 Denied Set ☐ Pers. Recog.
 2500
 \$ ☒ conditions

Date 9-2-76 ☒ 10% Deposit
☒ Surety Bond / C

☐ Bail Not Made ☐ Collateral
☒ Status Changed (See Docket) ☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 9-8-76	High Risk Date 9-2-76	9-8-76	Trial Set For 10-18-76	Disposition of Charges 11-23-76
Summons Served	Indict. Waived <input type="checkbox"/>	1st Plea 9-8-76	Voir Dire <input type="checkbox"/>	<input checked="" type="checkbox"/> Convicted
First Appearance	In Charging District	Final Plea 10-18-76	Trial Began <input type="checkbox"/>	<input checked="" type="checkbox"/> On All Charges
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	<input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL G. Plea W/Drawn	Trial Ended <input type="checkbox"/>	<input type="checkbox"/> On Lesser * Offense(s)
		<input type="checkbox"/> NG <input type="checkbox"/> G <input checked="" type="checkbox"/> NOL		<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Govern'ts Motion

MAGISTRATE		OUTCOME:
Search Warrant	Issued Return	<input type="checkbox"/> DISMISSED
Summons	Issued Served	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Arrest Warrant Issued		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
COMPLAINT		
OFFENSE (In Complaint)		

U.S. Attorney or Asst.

-Ben F. Baker
 Nathan Graham

ATTORNEYS

James E. Frazier
 Beacon Bldg.
 Tulsa 74103 (584-4724)

Defense: ☐ CJA ☒ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

* Show last names and suffix numbers of other defendants on same indictment/information:

Prideaux (1)

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
9-2-76		Record vote of grand jury, filed in open court. rm	
9-2-76		Indictment, filed in open court. Bond set in amt. of 2 9-2-76 M	
9-3-76		MO: Case set for arraignment and plea for Wednesday, 9/8/76 at 10 a.m. Def. granted 10 days to file motions; govt. 5 days thereafter to respond. (AEB-J)rm - notice to counsel	
9-8-		Case called for arraignment. Deft. present & represented. Govt. represented. Deft. acknow. receipt of indict.; is advised of charge; is arraigned & enters plea of NOT GUILTY. Govt. recommends bond be reduced. Ct. reduces bond to \$1,000 O/R. Case set for jury trial 10-18-76, 9:30 A.M. Deft. to make bond this date. (AEB-J)b	2 9-8-76 M 1
9-8		Info. sheet, fld. v	
9-8		MO: JURY TRIAL set on 10-18-76 at 9:30 a.m. (AEB-J)v	
9-8		Appearance Bond in amount of \$1,000.00, unsecured, fld. w/conditions of release. (CSB-Mag)v	

IV. PROCEEDINGS (continued)			V. EXCLUDABLE DELAY			
DATE	76-CR-125-2 (DOCUMENT NO.)	PAGE TWO	Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
1976						
9-17	Deft's mot. for bill of particulars, filed.k					
9-17	Deft's brf. in support of mot. for bill of particulars, filed.k					
9-17	Deft's motion for discovery, filed.k					
9-17	Deft's brf. in support of mot. for discovery, fld.k					
9-17	Deft's mot. for disclosure of matters occurring before the grad jury, filed.k					
9-17	Deft's brf. in support of mot. for disclosure, fld.k					
9-17	Deft's mot. to disclose witnesses of the gov't who will appear, filed.k					
9-17	Deft's brf. in support of mot. for disclosure of witnesses, filed.k					
9-17	Deft's mot. to inspect all evidence favorable to him, filed.k					
9-17	Deft's brf. in support of mot. to inspect, filed.k					
9-17	Deft's mot. in limine, filed.k					
9-20	Response to Defts.' mot. for Bill/Particulars, response to mot. for disc., to mot. for disclosure, to mot. to disclose, to mot. to inspect, and to mot. in limine, fld. v -cpy to Dene.					
9-21	MO: Deft's motions for bill of particulars, for discovery, for disclosure of matters occurring before Grand Jury, to disclose witnesses of the Govt. who will appear, to inspect evidence favorable to the accused, & in limine regarding use of prior convictions, be & they are hereby transferred to Mag. M.L. Bradford for hearing & disposition pursuant to local Ct. Rules 14(e) & 34(c)(5).(AEB-J)b nts mld					
9-27	MO: Case set for jury trial 10-18-76, 9:30 A.M.(AEB-J)b nts by cert ml					
10-13	Case called for hearing on Deft's motions. Parties present & Govt. reports that material requested has been furnished to deft.(MLB-Mag) b		3	10-13-76	E	1
10-18	Case called for jury trial. Deft. present & represented by T. Frasier. Govt. represented. Deft. announces desire to change plea. Deft. is placed under oath; w/draws plea of Not Guilty & enters plea of Nolo contendere. Govt. objects to plea. Ct. overrules objection & allows plea of Nolo. Deft. waives jury; waiver signed & filed in open court. Indict. read. Ct. orders pre-sent. report. Sentencing set on 11-3-76, at 10:00 A.M. Bond cont'd.(AEB-J)b					
11-3	Case called for sentencing. Deft. pres. & rep. by Thos. Frasier. Govt. rep. Upon oral request of Deft. sentencing is passed to 11-23-76, at 9:45 A.M. Bond continued.(AEB-J)b					

FINE AND RESTITUTION PAYMENTS					
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
5-16-77	# 3378	\$200.00			
5-19-77	Deposit \$200.00	C.D. #33			

For Identifying
Periods of Exclud-
able Delay Per 18
U.S.C. 3161(h)A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244).B. NARA Examina-
tion (28
U.S.C. 2902).C. State or Federal
trials on other
charges.D. Interlocutory
Appeals.E. Hearings on
pretrial motions.F. Transfers from
other districts
(per F.R.Cr.P.
Rules 20, 21
& 40).G. Defendant Motion
is actually
under advise-
ment. Period of
up to 30 days
is excludable
per
3161(h) (1) (G).H. Miscellaneous
Proceedings:
Probation or
Parole revoca-
tion, Depora-
tion,
Extradition.I. Prosecution de-
ferred by
mutual agree-
ment.M. Unavailability
of defendant
or essential
witness.N. Period of men-
tal or physical
incompetence
of defendant to
stand trial.O. Period of
NARA Com-
mitment or
Treatment.P. Superseding
indictment
and/or new
chargesR. Defendant
awaiting trial
of Co-defen-
dant when no
severance has
been granted.T. Continuances
Granted per
3161(h) (6)
(i.e. ends of
justice or com-
plexity of case
outweighs de-
fendants' in-
terests).U. Time between
guilty plea and
plea with-
drawal.W. Grand Jury in-
dictment ex-
tended per
3161 (b).

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

PHILIP GORDON McELROY

76-CR-125 -2

Yr. | Docket No. | Def.

DATE 1976	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
11-23	Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sent. is pronounced: Judgment & Sentence - Philip Gordon McElroy Fine of \$200.00, payable to Ct. Clk, payment in full due within six (6) months of this date. Bond exonerated. (AEB-J)b				
11-23-	Judgment, filed & entered. (AEB-J)b cps to US Atty & Deft & co.				

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)